

13.05.2025
SL.37
Ct.No.28
NB

CRM (A) 1499 of 2025

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Rajapur P.S. Case No.91/25 dated 07.04.2025 under Sections 498A/406/323/34 of the Indian Penal Code r/w 85/316(2)/115(2)/3(5) of the BNS & $\frac{3}{4}$ DP Act pending before the learned Chief Judicial Magistrate, Uluberia.

And

In the matter of: Sk. Ohidar Rahaman & Ors. ...
petitioners

Mr. Kajal Ray,
Mr. Suman Nandi.
...for the petitioners.

Ms. Zarine N. Khan,
Ms. Pallavi Priyadarshee.
...for the State.

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioner no. 3 is the husband of the alleged victim and the others are the other in laws. The petitioners tried to arrive at a compromise with the de facto complainant and requested her to come back. But, the complainant did not respond positively.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail and submits that there is an injury report available in the case diary.

Considering the materials available in the case diary including the statement of a neighbour and consequently, the alleged roles ascribed to the each of the petitioners, while I am inclined to grant anticipatory bail to the petitioner nos.1, 2, 4, 5, 6 and 7 (Sk. Ohidar

Rahaman, Saleha Begum, Sk. Sarif Rahaman, Reshma Begum @ Reshma Khatun, Omar Faruk Khan and Khukumoni Begum @ Oheda Khatun), the application for anticipatory bail of the petitioner no.3/husband (Sk. Tohid Rahaman) is hereby rejected.

Accordingly, in the event of arrest, the petitioner nos,1, 2, 4, 5, 6 and 7 (Sk. Ohidar Rahaman, Saleha Begum, Sk. Sarif Rahaman, Reshma Begum @ Reshma Khatun, Omar Faruk Khan and Khukumoni Begum @ Oheda Khatun) shall be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of Arresting Officer and subject to the conditions as laid down under Section 438 of the Code of Criminal Procedure, corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita and on further condition to cooperate with the investigation and not to threaten or intimidate witnesses or tamper with evidence in any manner whatsoever and meet the Investigating Officer as and when required.

The application for anticipatory bail being **CRM(A) 1499 of 2025** is, thus, partly allowed.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)